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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/921,542	08/03/2001	Daniel L. Schwarz	P-5204	6838
26253	7590	09/01/2005	EXAMINER	
DAVID W. HIGHET, VP AND CHIEF IP COUNSEL BECTON, DICKINSON AND COMPANY 1 BECTON DRIVE, MC 110 FRANKLIN LAKES, NJ 07417-1880			SORKIN, DAVID L	
			ART UNIT	PAPER NUMBER
			1723	

DATE MAILED: 09/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Examiner-Initiated Interview Summary	Application No.	Applicant(s)
	09/921,542	SCHWARZ ET AL.
	Examiner	Art Unit
	David L. Sorkin	1723

All Participants:

(1) David L. Sorkin.

Status of Application: appeal brief filed

(3) _____

(2) Scott Rittman.

(4) _____

Date of Interview: 26 August 2005

Time: _____

Type of Interview:

- Telephonic
 Video Conference
 Personal (Copy given to: Applicant Applicant's representative)

Exhibit Shown or Demonstrated: Yes No

If Yes, provide a brief description:

Part I.

Rejection(s) discussed:

not discussed

Claims discussed:

1

Prior art documents discussed:

not discussed

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See Continuation Sheet

Part III.

- It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.
 It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

**DAVID SORKIN
PRIMARY EXAMINER**


(Examiner/SPE Signature)

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: Examiner Sorkin communicated that claim 1 would be allowable if the two occurrences of "horizontal" were changed to "panel", with the understanding a panel is by definition is a flat or generally planar thing. This would relate the orientation of the vessel to another part of the claimed structure, the panel, rather than the horizon. However, Mr. Rittman declined this offer, explaining that "the key element really is the tilting with respect to horizontal to get the air/liquid interface".